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9 **Pro Hac Vice*

10 *Attorneys for Plaintiff and the Classes*

11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
13 **OAKLAND DIVISION**

14 **ABANTE ROOTER and PLUMBING,**
15 **INC.**, individually and on behalf of all others
similarly situated,

16 Plaintiff,

17 v.

18 **UNLOCKED BUSINESS STRATEGIES,**
19 **INC.** a New York corporation, **THOMAS R.**
COSTA, an individual, and **MERCHANT**
20 **INDUSTRY, LLC d/b/a SWIPE4FREE**, a
New York limited liability company,

21 Defendants.
22

Case No. 4:19-cv-07966-JST

**PLAINTIFF'S NOTICE OF
WITHDRAWAL OF MOTION FOR
CLASS CERTIFICATION**

Judge: Hon. Jon S. Tigar
Courtroom: 6, 2nd Floor

23 **PLEASE TAKE NOTICE** that pursuant to Local Civil Rule 7-7(e), Plaintiff Abante
24 Rooter and Plumbing, Inc. ("Plaintiff") hereby withdraws its pending Motion for Class
25 Certification ("Motion") (dkt. 42) without prejudice to being re-filed. Accordingly, Plaintiff
26

1 respectfully requests that the Court vacate the hearing on the Motion currently set for October 7,
2 2020, at 2:00 p.m. (Dkt. 43.)

3
4 Respectfully,

5 Date: August 19, 2020

6 /s/ Taylor T. Smith
One of Plaintiff's Attorneys

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above titled document was served upon counsel of record by filing such papers via the Court's ECF system on August 19, 2020.

/s/ Taylor T. Smith